

4/24/2007

The following chart illustrates the remaining schedule necessary to bring the Parkland Dedication Code Amendment forward to the City Council.

The attached schedule assumes each committee makes a recommendation and does not require staff to bring additional information back to their next scheduled meeting, therefore delaying the process up to a month, since most sub-committees meet monthly.

Boards & Commissions	Date of the Meeting	Possible Action
Codes & Ordinance Sub-Committee of the Planning Commission	Tuesday, April 17, 2007	Recommends to the full commission.
Downtown Commission	Wednesday, April 18, 2007	Commission makes recommendation to the Planning Commission and City Council.
Parks & Recreation Board	Tuesday, April 24, 2007	Briefing on the status of the code amendment.
Planning Commission	Tuesday, May 8, 2007	Planning Commission holds a full public hearing and action.
Law Department	Wednesday, May 9, 2007	The Law Department begins drafting ordinance language for City Council consideration. Law Department requires 4 to 6 weeks to draft ordinance.
Parks & Recreation Board	Tuesday, May 22, 2007	Briefing and final endorsement from the board. (optional)
City Council	Thursday, either June 7 or 21, 2007	Public Hearing & possible action.

1700
50

85000 = 2 ac.

PARKLAND DEDICATION ORDINANCE

19-Apr-07

Summary of the letters of support or suggestions from the various boards & commissions .

Parks and Recreation Staff Recommendations

1. Continue to collect Land and Fees at the subdivision stage for single family developments and Land for multi-family developments.
2. New proposal: Start requiring fees for multi-family developments at the site plan stage. This would address the developments that do not have to subdivide but are adding density to neighborhoods without paying their fair share of parkland fees.
3. Propose a simple fee of \$650 per unit.
4. Any development that meets the Affordable Housing goals, as determined by the Neighborhood Housing Department, can qualify for a reduction of parkland fees. This would only apply to those affordable units within a development.
5. The parkland fees should be reviewed and adjusted accordingly by using the consumer price index.

Design Commission

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5. Adjust parkland fees annually according to average real estate values (or inflation/cost of living increase).

Downtown Austin Alliance

1. The ordinance should apply to all residential development and redevelopment citywide.
2. In order to prevent this ordinance from becoming a deterrent to residential development in areas in which the cost of land is relatively high, or to residential development that creates density by reducing unit size and increasing the number of units, if a developer chooses to pay a fee in lieu of dedicating parkland, the fee should be based on net rentable or saleable residential square footage and should approximate the typical fee per square foot currently generated (our estimate is about \$0.25/SF*).

**Downtown Austin Alliance
(con't)**

3. The City should develop a certification process for not-for-profit organizations whose missions are to enhance parks and greenspaces. Fees may be paid to the City of Austin or to a certified not-for-profit organization.
4. Fees must be spent in the neighborhood from which they are generated.
5. Fees may be spent on enhanced operations or maintenance, in addition to the uses allowed in the current parkland dedication ordinance.
6. This new source of revenue may not be offset by general budget reductions.
7. The City will waive parkland fees if a development provides affordable housing.

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Council**

1. The Austin Neighborhoods Council supports the concept of a parkland dedication fee for all new residential developments. We see this as a means to fairly distribute contributions to the growth and enhancement of parks in Austin to serve new residents.
2. If the fee is to be assessed on a per unit basis, we believe that the fee should be at least \$750 per unit.
3. We do however have concerns that setting a simple per unit flat fee is regressive, and think that it is appropriate to consider, instead, a fee that is based upon the valuation or square footage of a unit. If a fee structure based on valuation or square footage is utilized then the fee for an average sized unit should equate to at least \$750 per unit.
4. We support the proposal to provide an exemption to a parkland dedication fee for units that qualify as "affordable" under a City program.
5. We oppose the waiver of parkland dedication fees for non-affordable units in a project. Because the Commercial Design Standards ordinance currently provides a complete waiver to the current parkland dedication fee for a Vertical Mixed Use project, it should be updated to be consistent with this approach.

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**Codes & Ordinance
Committee/Planning
Commission**

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 3. Developments meeting Affordable Housing goals can qualify for a reduction of parkland fees.
 4. Remove the annual adjustment for parkland fees based on the consumer price index.
-
1. Supported staff recommendation with one exception; encouraged PARD staff to reconsider the Housing Affordability Incentives.

Right-of-Way Signs

Town Lake is being used and utilized by more and more people every day. The Lone Star Rowing Association is trying to improve the safety of the lake for all those that use it.

The LSRA would like permission to place right of way markers/signs on the bridge stanchions that will be an aid in navigation for boaters on Town Lake.

The markers would be simple right-of-way signs to illustrate the traffic pattern through the bridge openings

How to mark the bridges:

After careful consideration of many different methods on ways to mark the bridges we think we have come up with a good method.

- Use hanging signs that would be attached to the bridge with a cable system.
- Currently there are several old hanging hazard signs on several of the bridges on Town Lake (ex 1), the new signs would use a similar method.
- This method would have no impact on the bridge and would allow for easy changes or removals if necessary.

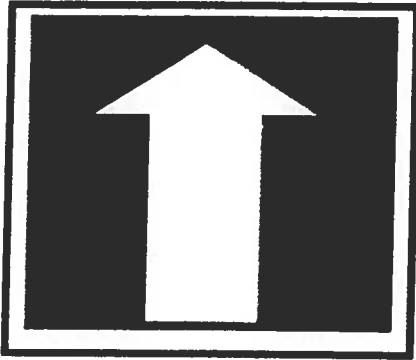
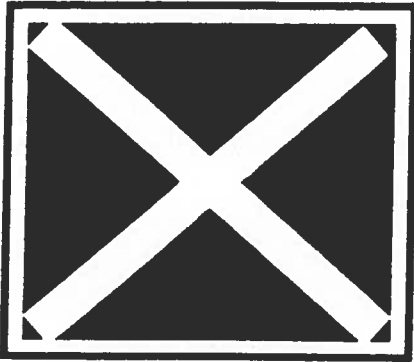
This is a large project and would take between 55-60 signs, with permission the LSRA would take on this project in three stages.

- Stage One - Mark 2 bridges first beginning with the most congested areas of the lake.
(MoPac and the Railroad Bridge)
- Stage Two - Mark additional bridges in congested area
(Lamar and the Pedestrian Bridge)
- Stage Three - Mark remaining Bridges
(Congress Street, First Street and I-35 bridges)

***The Redbud trail bridge receives extremely low traffic so we currently have no plans to mark it.*

Types of Signs:

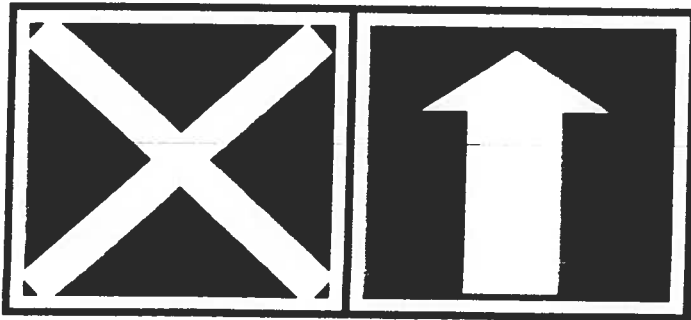
Every bridge on Town Lake is different and brings with it new challenges in marking it with right-of-way signs. After careful consideration we feel that two types of sign would fill all of the needs the bridges.



Individual Signs:

These signs would hang above the water in the center of the traffic lane.

These signs would measure:
2' by 2'



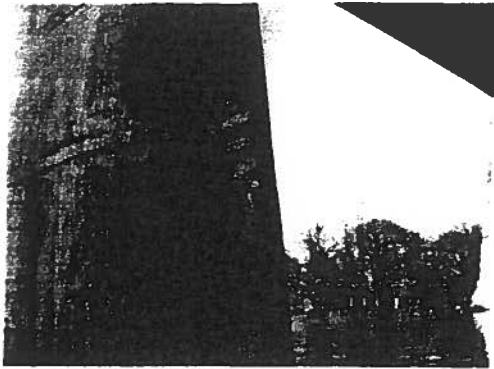
Combination Signs:

These signs would hang on bridge pillars and mark the traffic lanes on either side of the pillar.

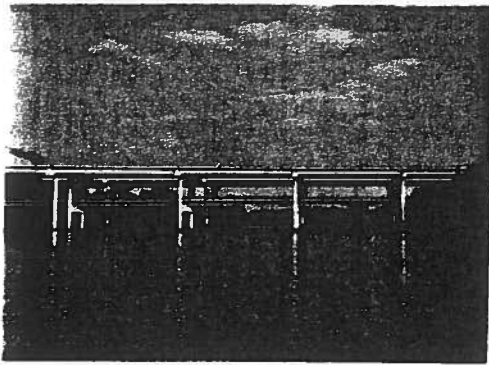
There would be several versions to meet each need

These signs would measure

2' tall by 4' wide



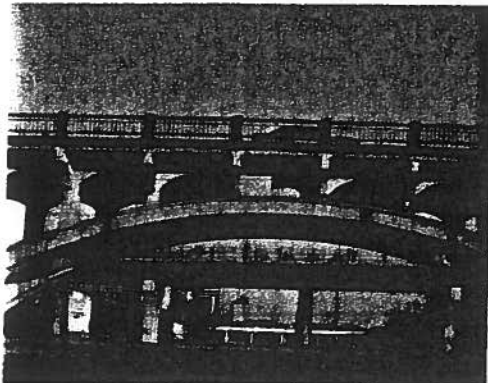
Sign currently on Railroad bridge,



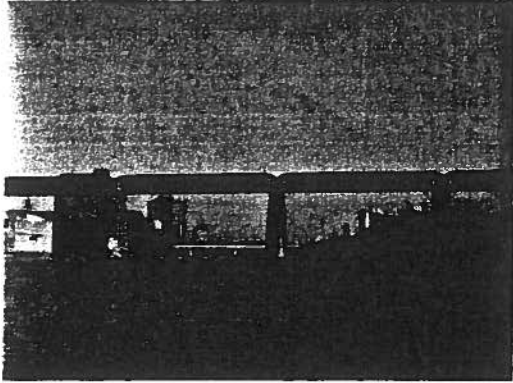
View of MoPac looking east



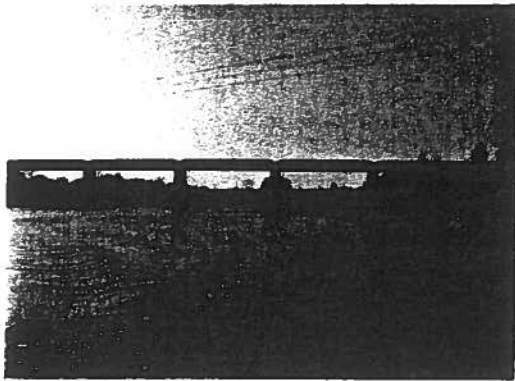
View of Lamar looking East



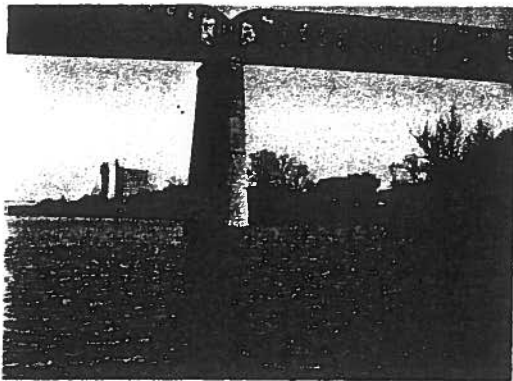
Close up on Lamar Opening



View of Train Bridge looking east



View of Train Bridge looking west



Close up of pillar



MEMORANDUM

To: Parks and Recreation Board

From: Warren W. Struss, Director
Parks and Recreation Department

Date: April 24, 2007

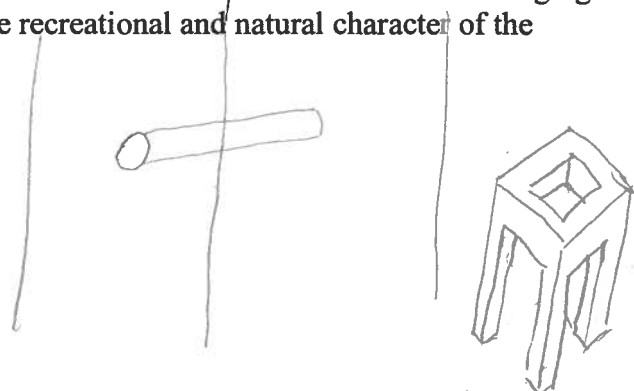
Subject: Filling of 3 existing slips and the cutting of 2 new slips at 4600 and 4604
Island Cove Case Number SP-2007-0202D

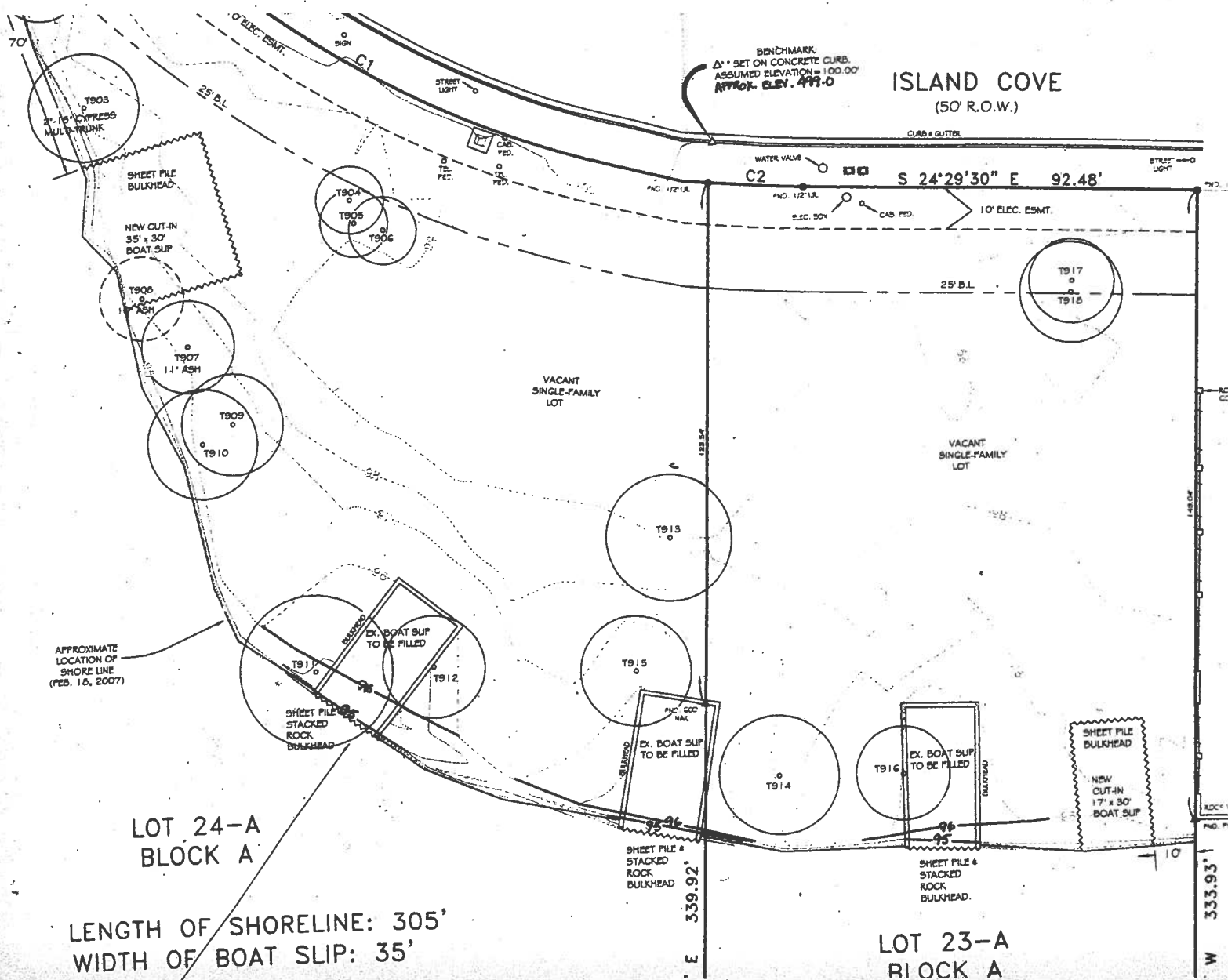
A request has been received from Bruce Aupperle on the behalf of Lackman & Lackman to fill three existing slips and cut two new slips at 4600 and 4604 Island Cove.

The Parks and Recreation Department staff has reviewed plans for the proposed boat dock and finds they meet the requirements of Article XIII, Section 25-2-1176, (Regulations for the Construction of Boat Docks) of the Land Development Code.

The Parks and Recreation Board shall make a recommendation on the effect the dredging and shoreline modifications will have on the recreational and natural character of the lake.

Warren W. Struss, Director
Parks and Recreation Department







MEMORANDUM

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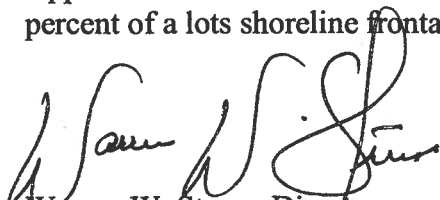
Date: April 24, 2007

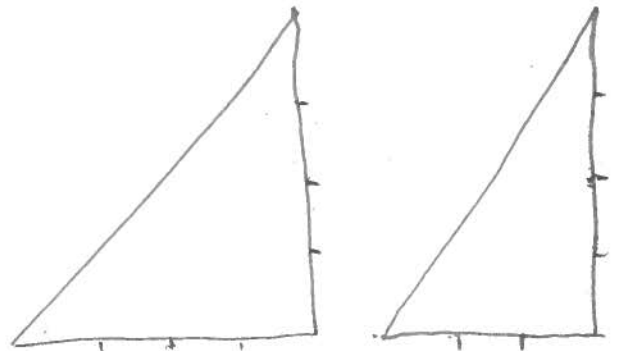
Subject: Single-Slip Boat Dock at 6901-6 Greenshores Dr.
Case Number SP-07-0144DS

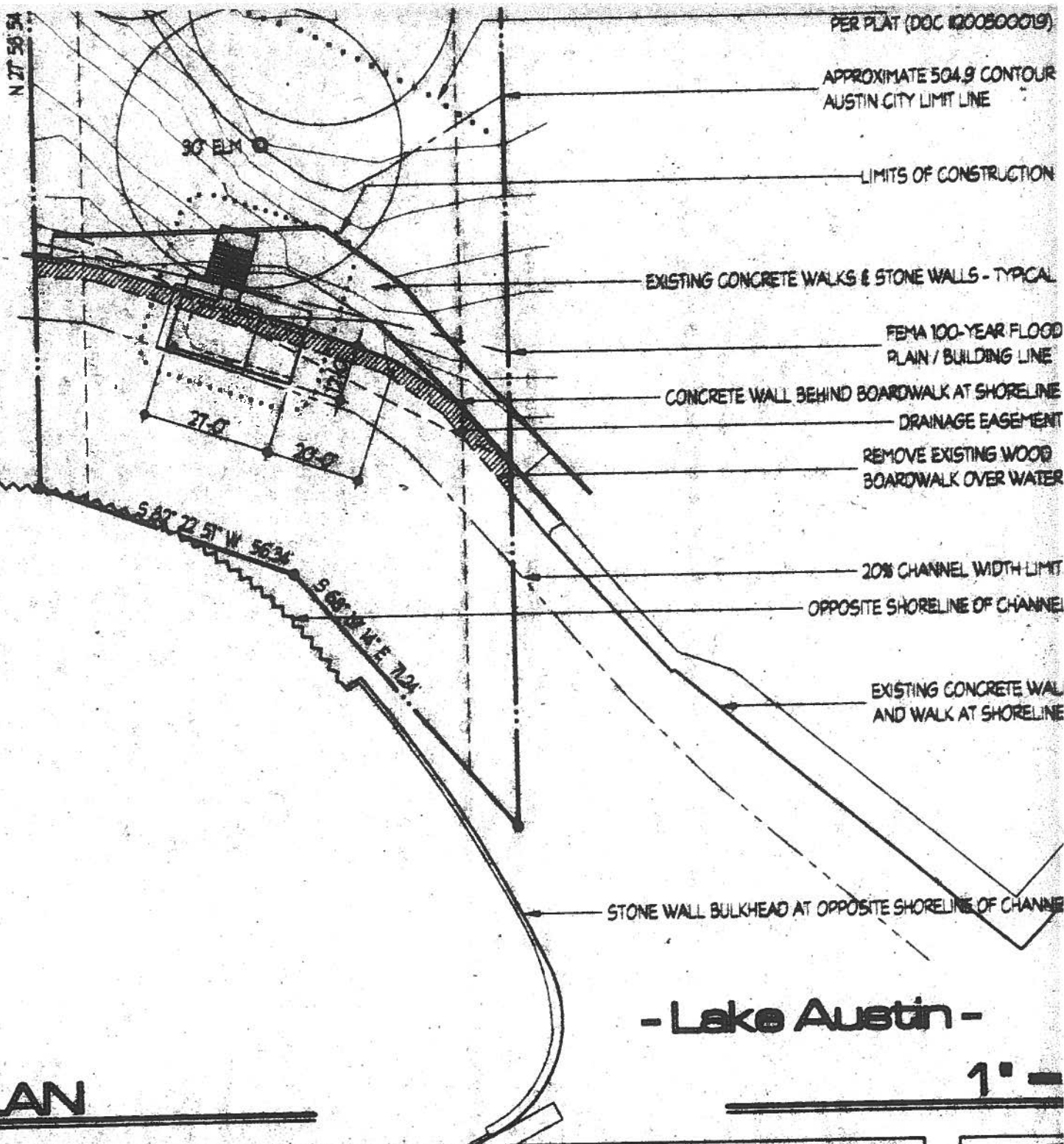
A request has been received from Brian Bailey to construct a single-slip boat dock at 6901-6 Greenshores Drive.

The Parks and Recreation Department staff has reviewed plans for the proposed boat dock and finds they do not meet the requirements of Article XIII, Section 25-2-1176, (Regulations for the Construction of Boat Docks) of the Land Development Code. The Proposed single-slip boat dock exceeds 20 percent of the shoreline width.

Approval of the Parks and Recreation Board is required for structures that exceed 20 percent of a lot's shoreline frontage.


Warren W. Struss, Director
Parks and Recreation Department





PLAN

KEYS:

VEL ELEVATION
3 SHORELINE
LDG. SETBACKS
NON LIGHTS
Z LINE
UCTION LIMITS

SITE

EXISTING LOT AREA
EXISTING SHORELINE LENGTH
ALLOWABLE DOCK LENGTH
PROPOSED DOCK LENGTH

(0.7872 ACRES)

(20.00%)

(PRE-APPROVED)

TABULATIONS:

34291 SQ FT
113.48 LIN FT
22.68 LIN FT
27.00 LIN FT





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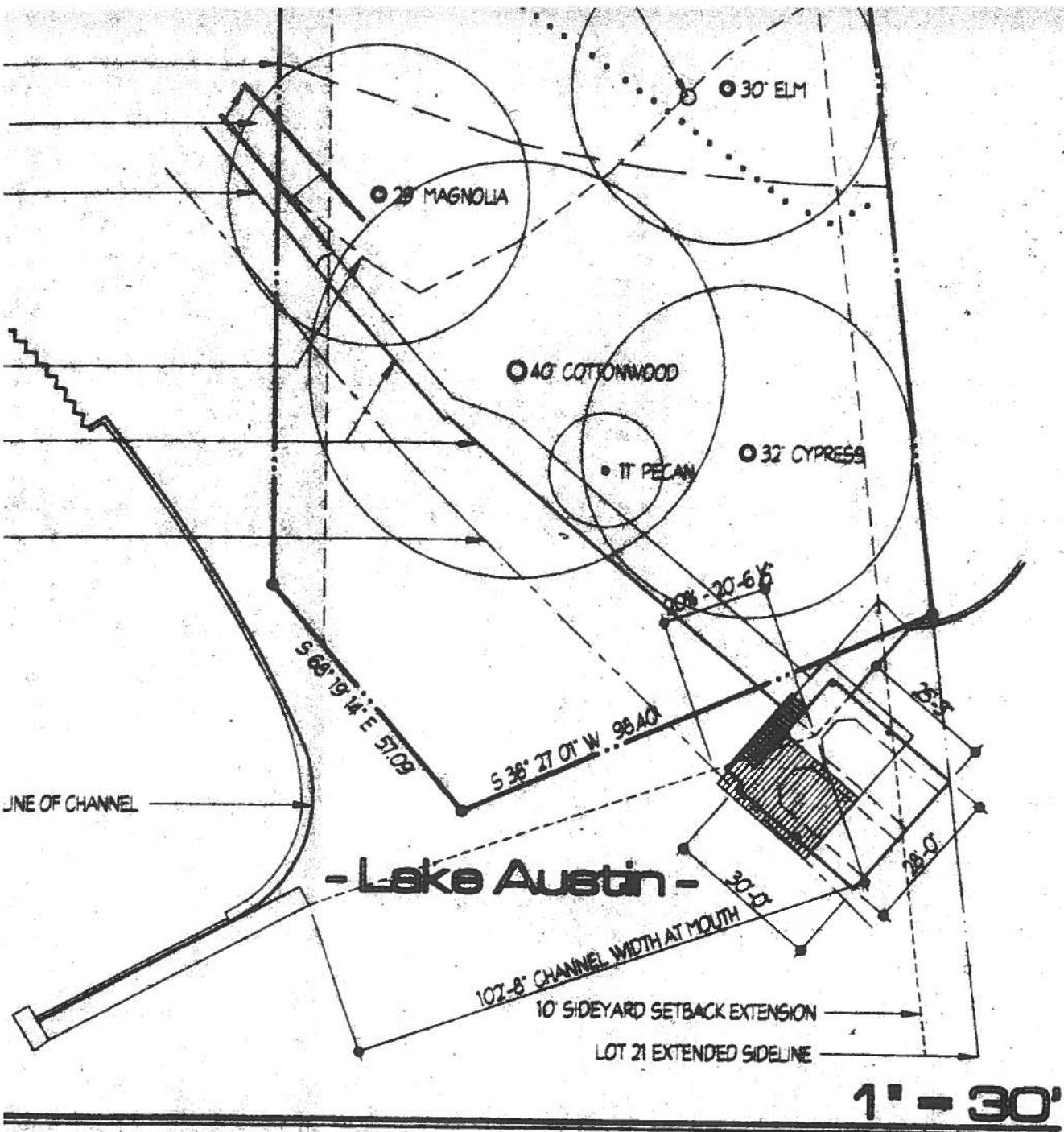
Subject: Two-Slip Boat Dock at 6901-5 Greenshores Dr.
Case Number SP-07-0147DS

A request has been received from Brian Bailey to construct a two-slip boat dock at 6901-5 Greenshores Drive.

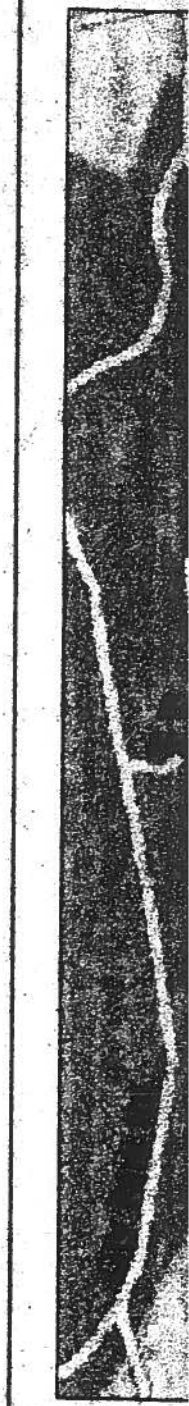
The Parks and Recreation Department staff has reviewed plans for the proposed boat dock and finds they do not meet the requirements of Article XIII, Section 25-2-1176, (Regulations for the Construction of Boat Docks) of the Land Development Code. The Proposed two-slip boat dock extends into the 10 foot side yard setback.

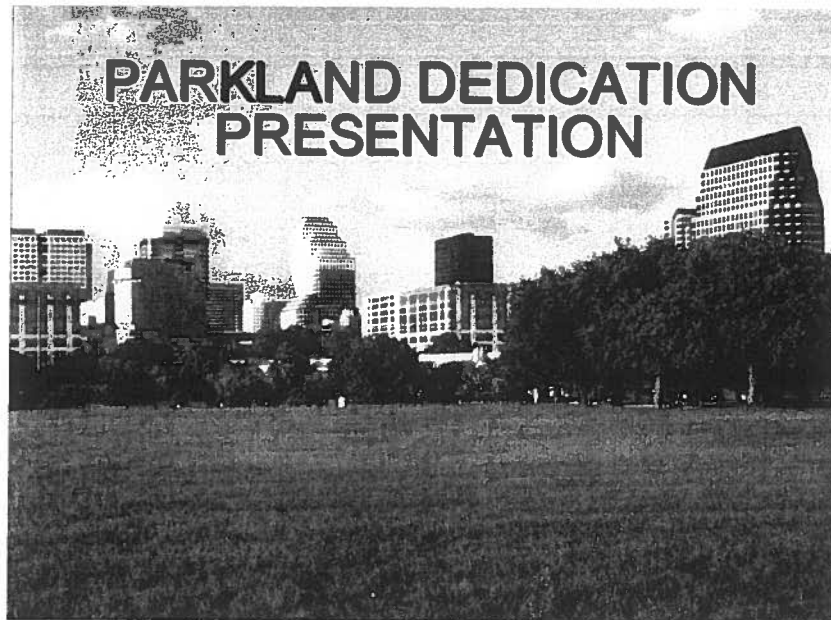
Approval of the Parks and Recreation Board is required for structures to be constructed within 10 feet of a side property line.

Warren W. Struss, Director
Parks and Recreation Department



TABULATIONS:		
ING LOT AREA	(0.9119 ACRES)	39726 SQ FT
ING SHORELINE LENGTH		176.84 LIN FT
ABLE DOCK LENGTH	(20.00%)	36.37 LIN FT
USED DOCK LENGTH	(13.85%)	24.50 LIN FT





Parkland Dedication Ordinance
04/24/07

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Legal Justification for Parkland Impact Fees

- In Texas and the nation, courts have ruled it is legal for municipalities to require residential developments to either dedicate land for park purposes or contribute to a special fund to be used for neighborhood parks
- The parkland or fee requirement is regarded as mitigation for the impact of the additional burden on the park system

Parkland Dedication Ordinance
04/24/07

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Parkland Dedication Applicability

- Ordinance adopted in 1985
- Land Development Code requires land or fees in Sub-division Ordinance. (Code Reference:25-4-212)
- Applicability:
 - Sub-dividing raw land, or re-platting
 - Residential land uses only: single family, multi-family including mixed use

Parkland Dedication Ordinance
04/24/07

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Parkland Formula

5 acres of parkland per
1,000 residents

Parkland Dedication Ordinance
04/24/07

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How does the ordinance work?

- There are four options
 1. Donating land
5 ac. x (# of units) x (residents per unit) = ac. of parkland
 2. Fees in lieu of land (most common)
The average value of an acre of land in the subdivision divided by the Travis County Appraisal District value of the land.
 3. Combination of both
 4. Up to 1/2 credit for private park amenities

Parkland Dedication Ordinance
04/24/07

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Ordinance does not apply to:

- Commercial properties
- ***Residential properties not sub-dividing***
- Vertical Mixed Use Buildings- meeting affordability requirements- (Design Standards Article 4)
- Residential subdivisions with four single family lots or less

Parkland Dedication Ordinance
04/24/07

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Parkland fees can be used for

- Purchase of land
- For development of additional facilities on existing parks such as new playscapes, tennis courts, trails, etc...

Parkland Dedication Ordinance
04/24/07

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Fees can not be used for:

- Park maintenance
- Park operations
- Park programs
- Staffing
- Special events

Parkland Dedication Ordinance
04/24/07

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How Parkland Fees are Administered

- Parkland fee expenditures should benefit the new residents of the sub-division that paid the fees
- Preferably, Parkland Fees are spent within a one-mile radius of the residential development that paid the fee
- Exception: If no opportunities exist within the one-mile radius, the fees are spent on the nearest available opportunity

Parkland Dedication Ordinance
04/24/07

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2006 Fee Comparisons for Texas Cities: Single family residential development

• Corpus Christi	\$200 per unit
• Fort Worth	\$500 per unit
• Austin	\$518 per unit avg.
• Bryan	\$520 per unit
• College Station	\$556 per unit
• San Antonio	\$625 per unit
• Cedar Park	\$720 per unit
• Arlington	\$1,100 per unit
• El Paso	\$1,370 per unit

Parkland Dedication Ordinance
04/24/07

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Cities outside Texas

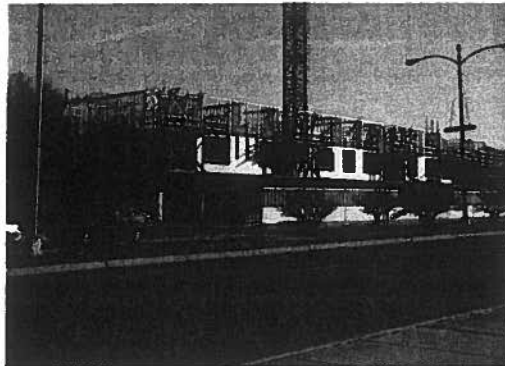
- Portland, OR \$3,053/single family
 \$1,986 /multi-family
- Seattle, WA \$1,050 to \$3,000 per unit
- San Diego, CA \$843 to \$3,569 per unit

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Current Challenges

1. Under the current ordinance, there are a number of residential developments that do not pay any parkland fees.



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Current Challenges

2. Under the current ordinance, equity is an issue due to the high cost of inner city land versus land on the edge of the city

<u>Project Name</u>	<u># of Units</u>	<u>\$ Paid</u>	<u>Price / unit</u>
Grand Oaks (suburb)	334	\$41,000	\$123
Riverside (near downtown)	100	\$462,000	\$4,600

Parkland Dedication Ordinance
04/24/07

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Staff Recommendations

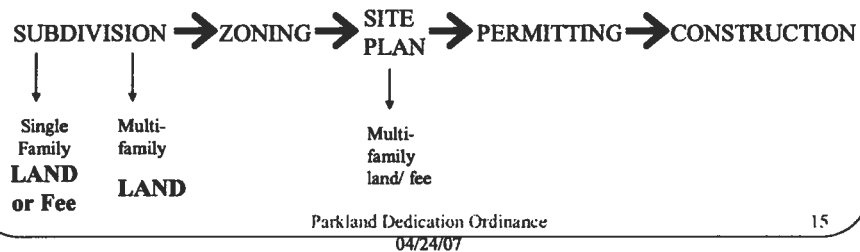
Parkland Dedication Ordinance
04/24/07

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Development Process



Staff Recommendations

3. Propose a simple fee of \$650 per unit.



Parkland Dedication Ordinance
04/24/07

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Staff Recommendations

4. As it relates to the Affordability Task Force recommendations, the Parks Department is recommending that a reduction of parkland fees be based on the following percentages:

10% reasonably priced housing units	25% Fee Waiver
20% reasonably priced housing units	50% Fee Waiver
30% reasonably priced housing units	75% Fee Waiver
40% reasonably priced housing units	100% Fee Waiver

*only the
aff. units exempted*

5. The parkland fees should be reviewed and adjusted accordingly by using the consumer price index.

Parkland Dedication Ordinance
04/24/07

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Fee Comparison Chart of Recent Projects

<u>Project Name</u>	<u># of Units</u>	<u>\$ Paid</u>	<u>Price / unit</u>	<u>Proposed Fee</u>
Cypress Bay	19	\$ 8,000	\$421	\$12,350
Canyon Creek	17	\$11,000	\$647	\$11,050
Manchaca Courtyard	46	\$49,000	\$1,065	\$29,900
Sage at Parmer	225	\$191,000	\$848	\$146,250
Robinson Hill	58	\$197,000	\$3,396	\$37,700

Parkland Dedication Ordinance
04/24/07

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Comments Received to Date

- See Handout

Parkland Dedication Ordinance
04/24/07

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Projected Revenue

Year	Number of units built citywide	\$ Collected	Proposed Fee \$650
2001/2002	6,898	\$1,465,085	\$4,483,700
2002/2003	6,667	\$736,198	\$4,333,550
2003/2004	6,562	\$829,565	\$4,265,300
2004/2005	6,323	\$960,371	\$4,109,950

Parkland Dedication Ordinance
04/24/07

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PARKLAND DEDICATION ORDINANCE

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Downtown Commission (con't)

3. Developments meeting Affordable Housing goals can qualify for a reduction of parkland fees.
4. Remove the annual adjustment for parkland fees based on the consumer price index.

**Codes & Ordinance
Committee/Planning
Commission**

1. Forward the proposed code amendment to the full Commission with the additional suggestion that prior to the public hearing, PARD and NHCD staff work together to develop a tiered incentive system to address the affordable housing issue.